

## Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas New York, NY 10036-6710 212.336.2000 fax 212.336.2222 www.pbwt.com

November 14, 2013

Geoffrey Potter  
Partner  
(212) 336-2050  
gpotter@pbwt.com

**By ECF**

Hon. Kiyo Matsumoto  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: Innovation Ventures, et al. v. Ultimate One Dist. Corp., et al.**  
**12 Civ. 5354 (E.D.N.Y.)**

Dear Judge Matsumoto,

On behalf of Plaintiffs Living Essentials, LLC, Innovation Ventures, LLC, and International IP Holdings, LLC (collectively, "Living Essentials"), I write to notify the Court that the motion to dismiss for lack of personal jurisdiction and/or improper venue (Dkt. No. 619) filed by Defendants Joseph Shayota, Adriana Shayota, and Tradeway International, Inc. d/b/a Baja Exporting's (collectively, the "Baja Defendants") has become moot in light of the proposed consent judgment and permanent injunction filed with the Court on November 9, 2013. (Dkt. No. 637). The parties respectfully request that in light of the consent judgment, the Court consider the Baja Defendants' motion withdrawn.

Counsel for the Baja Defendants has reviewed this letter and does not object to the entry of the requested order.

Respectfully submitted,



Geoffrey Potter

cc: David Greeley, Esq.  
Gregory Vega, Esq.